

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Monday, October 13, 2015
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:01 p.m. Also present were Vice Mayor Chris Vincent, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Elliot Sokolow, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Assistant to the Town Manager Pat Himmelberger, Development Services Director Linda Connors, Town Attorney Susan L. Trevarthen, Finance Director Tony Bryan, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Commissioner Brown requested that Item 16b be heard following Public Comment, as there were guests in the audience present to speak on this Item. He also asked that the MPO Executive Director be allowed to provide an update on the El Mar Greenway Project. The Commission concurred.

5. PRESENTATIONS

a. Citizen Recognition of Outstanding Service (Mayor Scot Sasser)

Mayor Sasser stated that Rose-Edith and Bob Morgan, Town residents, wished to publicly acknowledge the excellent service they received from AMR during a medical emergency. Mr. and Mrs. Morgan thanked the AMR paramedic team for their assistance, empathy, and professionalism during a difficult time. Donald Anderson, Art Moen, John Bias, Kaylee Bower, David Burges, and VFD Battalion Chief Mark Conn were recognized with a round of applause.

b. Domestic Violence Month Proclamation Presentation (Tedra Smith, Town Clerk)

Mayor Sasser read a proclamation in recognition of October 2015 as Domestic Violence Awareness Month.

Dane Lofters, representing Women in Distress of Deerfield Beach, reviewed the work of this organization over the past year, including emergency shelter, counseling, and transitional assistance, for residents of Lauderdale-By-The-Sea and other local municipalities.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened public comment.

Ina Marjakangas, owner of Coast Boutique, described her recent experience in attempting to participate in the Arts and Crafts Fair. She explained that she was not allowed to participate, as she did not make the items she wished to sell at the event; however, she visited the Crafts Fair and saw other vendors included major retailers and sellers of products from around the country who do not make their own products. Ms. Marjakangas urged the inclusion of more local quality retail in this and future Town events.

With no other individuals wishing to speak at this time, Mayor Sasser closed public comment.

The following Item was taken out of order on the Agenda.

16. RESOLUTIONS – PUBLIC COMMENTS

- b. Resolution 2015-44 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT WITH THE FORT LAUDERDALE TRANSPORTATION MANAGEMENT ASSOCIATION, INC. TO EXTEND THE SUN TROLLEY GALT LINK SERVICE NORTH TO WASHINGTONIA AVENUE FOR AN ANNUAL SUM NOT TO EXCEED \$25,000; PROVIDING FOR AN EFFECTIVE DATE (Pat Himelberger, Assistant to the Town Manager)**

Robyn Chiarelli, Executive Director of the Downtown Fort Lauderdale Transportation Management Association (TMA), and Greg Stuart, Vice Chair of the TMA and Executive Director of the Broward Metropolitan Planning Organization (MPO), explained that they have been working with Assistant to the Town Manager Pat Himelberger and Town Manager Connie Hoffmann for over six months toward this initiative.

Ms. Chiarelli advised that riders of the Sun Trolley will soon be able to visit events and businesses in both Fort Lauderdale and Lauderdale-By-The-Sea with the expansion of the route, which will increase both connectivity and economic development.

Mayor Sasser opened public comment, which he closed upon receiving no input.

Commissioner Brown stated that the Resolution before the Commission would provide confirm the Town's desire to expand the TMA's Sun Trolley service into the Town and the Town's willingness to contribute funding for that route expansion. He requested that in the future, the TMA consider expanding the hours of service to include weekend nights.

Commissioner Dodd suggested that the proposed route be expanded as far as the Sea Ranch Lakes Shopping Center, which would be an increase of only a few hundred yards from the currently proposed route. Ms. Chiarelli agreed that TMA Staff would look into this possibility.

Commissioner Brown made a motion, seconded by Commissioner Dodd, to approve the Resolution. Motion carried 5-0.

MPO Director Stuart provided an update on the planned El Mar Greenway, which has recently been added to the MPO's Transportation Improvement Plan (TIP) as well as the Florida Department of Transportation's (FDOT's) Work Program. \$2 million in design and engineering funding has been programmed for this project, and construction funding is expected to be programmed in April 2016. He recognized Commissioner Brown for his support of the project as Lauderdale-By-The-Sea's representative to the MPO Board. He estimated that design will start next summer and groundbreaking on the project could commence as soon as July 2017.

7. PUBLIC SAFETY DISCUSSION

a. AMR September 2015 Report (Chief Brooke Liddle)

Commissioner Dodd made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

b. BSO September 2015 Report (Captain Fred Wood)

Commissioner Brown noted that at the September 28, 2015 meeting, the Commission had voted in support of the County's proposal to reduce the penalties for possession of small amounts of marijuana and asked Captain Wood how that would impact LBTS. Captain Wood replied that very few such arrests are made in the Town, and estimated that the proposed change would have minimal impact on BSO personnel in Lauderdale-By-The-Sea.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

8. TOWN MANAGER REPORT

a. Town Manager Report (Connie Hoffmann, Town Manager)

Town Manager Hoffmann reported that the buoys for the Bio-rock project were removed in advance of the possible tropical storm in August. She noted the Town would have to absorb immediate expenses to do repairs, maintenance and redeploy the buoys, and continued expenses to keep the buoys maintained, remove them in advance of strong storms, and to do the annual reports required by the permitting agencies. She estimated that these expenses would be a minimum of \$10,000 over the next 14-18 months. She requested direction from the Commission, noting that the project has not lived up to expectations with regard to the delivery of power to the solar buoys.

At the Mayor's request, Public Information Officer Steve d'Oliveira provided information on the Town's Staghorn Coral Reef Project. Under the contract with the Town, Nova Southeastern University (NSU) has transplanted 1,020 plugs of staghorn coral at four sites within 2100 ft. of the beach in an effort to restore this species off the Town's shore. Eventually the colonies in each location are expected to grow together to form a reef.

Public Information Officer d'Oliveira showed photographs of the NSU work, noting that there has been some mortality due to bleaching and predation which is normal. All four sites were visited by NSU in August and a 92% survival rate was recorded, with variations between the different sites and attachment methods. As the water cools this winter, NSU will transplant more staghorn colonies off the Town's shore. The project has a five-year overall timeline with monitoring and reporting requirements.

The Commission discussed the bio-rock project. The Town Manager Hoffmann estimated that the Town has already spent \$90,000 to \$100,000 funding the bio-rock project. Commissioner Brown noted he had not heard any convincing evidence of better results from the solar buoys, so did not think spending more on the project was a justified expense. Mayor Sasser emphasized the need to continue seeking other projects, such as the Staghorn Coral Project, to encourage the growth of coral. The Commissioners noted the Town had given the Bio-rock technology a fair chance and concluded unanimously to discontinue funding of the project.

Town Manager Hoffmann continued with a report on the impact of the discovery that the subgrade of Commercial Boulevard in the area of the mid-blocks project was not sufficient and would require more than milling and resurfacing. Because the cost quoted by the subcontractor for the additional road buildup required, State Contracting is soliciting bids from other subcontractors.

The Town Manager also reported that Teco Gas is complicating the project as they have to move a gas line before work on the south side of Commercial can proceed and they have still not started that work, despite having many months of advanced notice from the Town and State Contracting. State Contracting is attempting to work around this issue, but it has delayed the project by at least one week thus far.

Town Manager Hoffmann asked the Commissioners if they wished to schedule a special meeting for her evaluation, as well as a strategy discussion to determine priorities for the coming year and a report on the accomplishments of the past year. It was determined that the latter meeting would be held on October 27, 2015 at 5 p.m. and her evaluation scheduled for a regular meeting.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. September 28, 2015 Town Commission Special Meeting (2nd Public Budget Hearing) Minutes (Tedra Smith, Town Clerk)**

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

11. CONSENT AGENDA

Items 11c and 11d were pulled for additional comment.

- a. Special Event Application for Marie White's "Santa is Coming to Town" Proposed for Saturday, December 12, 2015 (Bud Bentley, Assistant Town Manager)**
- b. Special Event Application for BC Surf & Skim Scare 8 Skim Boarding Competition Proposed for Saturday, October 31, 2015 (Bud Bentley, Assistant Town Manager)**
- c. New Year's Eve Celebration Special Event for 101 Ocean, Aruba Beach Café, Athena By The Sea, Mulligan's, and the Village Grille (Bud Bentley, Assistant Town Manager)**

Commissioner Dodd noted that Condition 17 does not include a penalty, and suggested that participation in the event be forfeited if the applicant(s) owes monies to the Town at the time. Assistant Town Manager Bud Bentley agreed that was the intent of Condition 17.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve, subject to the condition that participation be forfeit if the participant owes past due monies to the Town. Motion carried 5-0.

d. Work Authorization for Ambit Advertising and Public Relations for Strategic Marketing Plan Implementation (Pat Himmelberger, Assistant to the Town Manager)

Mayor Sasser noted that the plan called for dropping advertising in the NY Times and focusing on Boston. He recalled that past marketing efforts recorded strong participation from the New England area. Kathy Koch of Ambit Marketing advised that was based on research that initially identified Boston, Massachusetts as a key responder to ads. Hits on the website were tracked to determine we had a better response from the Boston advertising.

Commissioner Sokolow made a motion, seconded by Commissioner Dodd, to approve the work authorization. Motion carried 5-0.

e. Work Authorization for the Town Engineer to Design the South Ocean Parking Lot Improvements (Bud Bentley, Assistant Town Manager)

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve Items 11a, 11b, and 11e. Motion carried 5-0.

12. OLD BUSINESS

a. Commission scheduled review of the Saturday Nights Music Annual Special Event Permit (Bud Bentley, Assistant Town Manager)

Asst. Town Manager Bentley stated that the Commission had requested review of the Annual Special Event Permit at this time. Information from the Police and Finance Departments reflects that there have been no issues related to the events, and the applicants do not owe the Town any money at this time.

13. NEW BUSINESS

a. Broward League of Cities Scholarship Program (Connie Hoffmann, Town Manager)

Town Manager Hoffmann explained that the Town Commission has donated \$100/year to the Broward League of Cities Scholarship Program in the past. The Commissioners agreed by consensus to continue this voluntary contribution.

b. Time Extension Application to complete construction from the Top of the Mile Condo – 4013 N. Ocean Drive (Linda Connors, Development Services Director)

Development Services Director Connors explained that if the Town's construction time limit is exceeded, the property owner may be fined on a sliding scale up to \$500/day. The Applicant's permit for concrete construction and restoration was originally pulled on December 17, 2014. Courtesy notices were sent to the Applicant by email and U.S. mail in April 2015 to advise that the permit would expire in June. A notice of violation was sent in July. The building manager submitted an application for an extension in September which states that work should be complete in early 2016. The property manager has informed Town Staff that the project may be complete in six weeks.

Development Services Director Connors advised that the staff report indicated no inspections had been called for, but we have since learned the contractor engaged a Special Inspector for the restoration project. It appears that Inspector has not communicated with the Building Department. Staff recommends denial of the request, as there is insufficient information for them to make a recommendation of approval.

The Applicant would be able to seek mitigation of fines after the project has been completed.

Lee Huffstetler, property manager, stated that because many of the owners are seasonal residents, the condominium's board of directors recently held its first meeting since March 2015. Up to \$34,000 in fines has accrued thus far. Mr. Huffstetler advised that he was only recently apprised of the violation, and had not realized the amount of the pending fines.

In response to a question by the Commission, Development Services Director Connors noted that this was not the first instance in which the Town has learned that a structural engineer is conducting his own inspections but not communicating with the Building Department to appropriately document these inspections. She reiterated that no inspection reports have been submitted to the Building Department thus far.

Vice Mayor Vincent stated that he would not be willing to impose any fines assessed against the unit owners, as they have not been informed of this ongoing issue. Commissioner Dodd advised that the case is between condominium management and the contractor rather than homeowners, and fines should be deducted from the contract. He felt any mitigation should take into account the speed at which this issue is resolved.

Commissioner Sokolow recommended that the Commission extend the permit and consider mitigating fines if inspection reports are submitted to the Building Department in a timely manner. Commissioner Brown advised that the length of time of this project has a negative effect on the neighborhood; however, he did not feel heavy fines should

result from paperwork and documentation errors. Town Manager Hoffmann clarified that failure to meet the deadline was the issue, not paperwork.

Mayor Sasser asked if the fines accrued thus far would be eliminated if the Commission elected to extend the permit. Development Services Director Connors said yes, and explained that if the permit is extended to a specific date, fines would not begin to accrue until that date has passed. If construction is completed by the date set by the Commission, no mitigation would be necessary.

Vice Mayor Vincent suggested that the daily fine for violations of 61 days or longer be reduced from \$500/day to \$150/day and that Staff bring this proposal before the Commission at a future meeting. He reiterated his concern for unit owners who may find themselves subject to fines through no fault of their own.

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to extend the permit by six weeks from tonight (to November 24, 2015). Motion carried 3-2 (Mayor Sasser and Commissioner Dodd dissenting).

c. Acquisition of Real Estate at 4410 Bougainvillea Drive, Majestica Apartments (Bud Bentley, Assistant Town Manager)

Asst. Town Manager Bentley noted that the Commission's Strategic Plan includes the expansion of parking within the central business district. The Majestica Apartments property, which is immediately adjacent to the Town's A1A parking lot, is for sale. He sought direction regarding whether or not Staff should negotiate a purchase price. It was estimated that this parcel would produce approximately 42 to 45 parking spaces, although no engineer has analyzed the property thus far. The asking price of the parcel was around \$3 million, which would amount to roughly \$66,000 per parking space.

The Commissioners discussed the proposal, clarifying that if they wished to proceed with the purchase after Staff evaluates the property, this process would require two appraisals of its value, a public hearing, and a final decision on purchase at a subsequent Commission meeting. While there was consensus from Mayor Sasser, Vice Mayor Vincent, Commissioner Brown, and Commissioner Sokolow for Staff to look into the possibility of purchasing the site, Commissioner Dodd did not agree, citing the prospective cost per space, which is significantly higher than the cost recommended by the recent study. Commissioner Brown emphasized the need for public input on this potential purchase.

Asst. Town Manager Bentley advised that there is no debt currently associated with the Town's parking system: the purchase could be repaid in approximately eight years using only the parking revenue from the A1A lot. Commissioner Sokolow spoke in favor of exploring the possibility of purchasing the site. Mayor Sasser expressed concern with the potential cost, although he felt the issue should be explored by Staff.

Commissioner Sokolow made a motion, seconded by Commissioner Brown, to have Staff proceed with negotiating a purchase contract. Motion carried 4-1 (Commissioner Dodd dissenting).

Asst. Town Manager Bentley clarified that the proposal is to use the property for a surface parking lot rather than a garage.

d. Proposed Revision to Chapter 2, Division 3 of the Town Code – Volunteer Fire Fighters’ Pension Plan – Increasing Pension Benefits (Tony Bryan, Finance Director)

Finance Director Tony Bryan explained that the current retirement benefit for volunteer firefighters is \$10 multiplied by the individual’s years of credited service, or a minimum of 2% of average monthly earnings from the best five years of the last ten years of service. An actuarial firm hired by the Pension Trust Fund Board calculated that the maximum benefit possible without increasing costs to the Town is a multiplier of \$42.50, and Plan members have requested that the \$10 benefit be changed to this number and applied prospectively to current retirees as well.

Finance Director Bryan requested direction from the Commission regarding this proposal, concluding that Staff supports the request. It was clarified that of the choice listed above, only one retiree currently receives the 2% calculation; if the Town shifts to the \$42.50 multiplier, none would receive the 2%. The majority of the money for this fund is supplied by the State, with current firefighters also paying a 5% contribution.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to increase Volunteer Fire Department retirement benefits as described. Motion carried 5-0.

Town Manager Hoffmann advised that Staff will bring back an Ordinance to implement this pension increase.

e. New Hardship Parking Permit Applications for FY 2015/2016 (Bud Bentley, Assistant Town Manager)

Asst. Town Manager Bentley explained that there are two applications. One is from the Tides Inn, for which Staff does not recommend approval, as the Inn has the required number of parking spaces. The second application is from the Sea Horse Apartments, for which Staff recommends approval of two hardship permits, with the condition that the Applicant bring its parking lot up to Code within six months (March 31, 2016).

The Commissioners discussed the request. Asst. Town Manager Bentley clarified that one parking space will be lost when the Sea Horse Apartments bring their parking lot up to Code for accessibility under the Americans with Disabilities Act (ADA). For this reason, Staff recommends allowing them two permits. It was also clarified that the Tide

Inn had added one unit when they did their renovation and had taken advantage of a Code provision that allowed them to decrease their parking spaces in return for providing bicycle parking. Staff recommended that the Town Commission revisit the provision of all-day parking passes in the El Prado lot, which had assisted the Tides Inn in meeting peak demand last season.

Mayor Sasser and Vice Mayor Vincent spoke in favor of providing the Tides Inn with at least one permit. Asst. Town Manager Bentley advised that this block is oversubscribed for hardship permits, and any such permit should be applied to the El Prado lot, which has not been done in the past. Commissioner Dodd stated that he supported Staff's recommendation, as they have researched the issue of hardship permits.

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to give the Tides Inn two hardship permits and approve Staff's recommendation for the Sea Horse Apartments. Motion carried 4-1 (Commissioner Dodd dissenting).

The Commission took a brief recess at this time.

14.COMMISSIONER COMMENTS

Mayor Sasser reported on his recent visit to Washington, D.C. as a member of the Florida League of Cities, at which he addressed the issue of sober homes with the Florida Congressional delegation. He advised that Congresswoman Lois Frankel in particular continues to champion the Town and other municipalities on this issue, and plans to speak with both the Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ) regarding the regulation of these properties.

Commissioner Dodd advised that there was neither a Hillsboro Inlet nor a Coastal Oceans Task Force meeting to report. He noted the difference between Lauderdale-By-The-Sea Town Commission meetings and a meeting he had recently attended in Deerfield Beach, and concluded that he was pleased that the Town meetings are significantly less contentious than others.

Commissioner Brown addressed the coming expansion of the Sun Trolley into the Town, as well as the El Mar Greenway project, and pointed out how these projects will benefit the Town's businesses and residents in future years.

15.ORDINANCES

Ordinances 1st Reading

- i. Ordinance 2015-14 – AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE 2015 RESTATED SOLID WASTE AND RECYCLABLE COLLECTION FRANCHISE AGREEMENT**

WITH WASTE PRO USA, INC.; AUTHORIZING A ONE YEAR EXTENSION OF THE FIRST RENEWAL TERM TO NOVEMBER 30, 2016; AUTHORIZING EXECUTION OF THE 2015 RESTATED FRANCHISE AGREEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE (Bud Bentley, Assistant Town Manager)

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Asst. Town Manager Bentley stated that this Ordinance implements the policy decision made at the June 9, 2015 Commission meeting, and executes the restated agreement.

Vice Mayor Vincent requested that the provider be approached regarding their policy on palm fronds, which does not allow these materials to be included in the recycling container, as they can be potential contaminants. Damon Stinson, Division Manager for Waste Pro, Inc., explained that the company notifies Code Enforcement and Town Staff when contaminated materials are included in recycling bins so the property owners may be educated.

Vice Mayor Vincent made a motion, seconded by Commissioner Dodd, to approve. Motion carried 5-0.

ii. Ordinance 2015-15 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 14.5, “PEDDLERS AND SOLICITORS,” TO ADDRESS PROMOTIONAL ENTERTAINERS AND STREET PERFORMERS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE (Pat Himelberger, Assistant to the Town Manager)

Mayor Sasser opened public comment, which he closed upon receiving no input.

Assistant to the Town Manager Pat Himelberger recalled that in February, the Town Commission approved amendments clarifying and defining promotional entertainers and street performers. To further clarify the relationship of a promotional contractor with a business, and to differentiate these entertainers from street performers, Staff proposes the following changes:

- Defining a promotional entertainer as a direct employee or person under written contract;
- Having the business notify the Police Department of the entertainer's name, dates and times of promotional activity, and location, and provide a visible identification tag with the name of both the entertainer and the business;
- Promotional entertainers may not impede pedestrian traffic or participate in any form of solicitation or vending;

- Promotional entertainers and street performers may only accept contributions during their performances, either as a designated promotional entertainer or as a permitted street performer.

Commissioner Brown made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

iii. Ordinance 2015-16 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5, “BEACHES AND WATERWAYS,” OF THE CODE OF ORDINANCES BY AMENDING ARTICLE III, “BOAT REGULATIONS,” TO CLARIFY TERM USAGE AND PROHIBITION OF CERTAIN ACTIVITIES RELATED TO WATERCRAFT USAGE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

Mayor Sasser opened public comment, which he closed upon receiving no input.

Development Services Director Connors explained that this Ordinance addresses overnight stays on boats. An amendment to this proposed Ordinance has been distributed to the Commissioners, which refers to the definition of watercraft or floating structure in Florida Statute 327 and limits the hours in which a person may be on board except as necessary to limit property damage or loss. This will make it easier for Staff to enforce Code.

The Commissioners discussed the inclusion of the clause referring to limitation of property damage or loss. Town Attorney Susan Trevarthen advised that she could revisit this language to make it more stringent before the second reading of the Ordinance. The intent of the clause would prevent individuals from being on their boats between the hours of 11 p.m. and 5 a.m. except in the event of an emergency. State Statutes include distinctions between specific types of waterways, and preempt certain local regulations while preserving other local regulation of live-aboard vessels. This will be explored further by Staff and the attorney’s office prior to second reading.

Vice Mayor Vincent expressed concern with any regulation that would prevent an individual from being aboard his or her vessel while it is docked between certain hours, even on his or her own property. He recommended the removal of this language from the proposed Ordinance. Commissioner Dodd advised that he shared the Vice Mayor’s concern, although he also felt that a loophole should not be provided for live-aboard vessels if possible. Commissioner Sokolow agreed with these concerns as well.

It was noted that current Code, which dates back to 1962, prohibits sleeping or cooking on a vessel at any hour; however, this can be difficult to enforce. Town Manager

Hoffmann advised that enforcement has been a challenge in the past, both in and outside the marina.

Commissioner Sokolow made a motion, seconded by Commissioner Dodd, to approve with revisions to clarification of prohibition of habitation on watercraft. Motion carried 5-0.

Ordinances 2nd Reading

- i. **Ordinance 2015-08 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5, “BEACHES AND WATERWAYS,” BY AMENDING SECTION 5-1, “DEFINITIONS,” TO CLARIFY THE DEFINITION OF WATERCRAFT; AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, “DEFINITIONS,” TO PROVIDE DEFINITIONS RELATED TO MARINA USES; BY AMENDING DIVISION 2, “DISTRICTS,” OF ARTICLE V, “ZONING,” TO RENAME SUBDIVISION G, “BUSINESS ZONING DISTRICT REGULATIONS,” TO “B-1-A DISTRICT REGULATIONS,” TO DELETE SECTION 30-260 TO ELIMINATE DUPLICATION, TO AMEND SECTION 30-261, “B-1-A DISTRICT – BUSINESS” TO REORGANIZE REQUIREMENTS FOR CONDITIONAL USES, AND TO AMEND SECTION 30-271, “B-1 DISTRICT – BUSINESS” TO CORRECT REFERENCES AND PROVIDE FOR CONDITIONAL USE REVIEW OF MARINAS AND IDENTIFY SPECIFIC REQUIREMENTS FOR MARINA USES; BY AMENDING SECTION 30-311, “BOATS, BOAT LIFTS, BOATHOUSES AND ANCHORAGE” TO AMEND AND CLARIFY THE REQUIREMENTS FOR DOCKING AND MOORING OF WATERCRAFT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)**

Mayor Sasser opened public comment, which he closed upon receiving no input.

Commissioner Sokolow made a motion, seconded by Commissioner Dodd, to table this Ordinance until November 10. Motion carried 5-0.

- ii. **Ordinance 2015-12 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT**

REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-211, "RS-5 DISTRICT – RESIDENCE" TO MODIFY THE SETBACK REQUIREMENTS AND CALCULATIONS FOR WATERFRONT PROPERTIES AND DELETE ROOF STYLE LIMITATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)

Mayor Sasser opened public comment, which he closed upon receiving no input.

Development Services Director Connors advised that this Ordinance was modified between its first and second readings. The modifications are identified in the agenda materials.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

- iii. **Ordinance 2015-13 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-241, "RM-25 DISTRICT – APARTMENTS AND LODGING" TO CLARIFY THE REQUIREMENTS FOR TEMPORARY REAL ESTATE SALES OFFICES, CLARIFY SETBACK REQUIREMENTS, PROVIDE FOR BUILDING OVERHANGS IN FRONT YARDS, REORGANIZE THE SECTION AND DELETE DUPLICATIVE REQUIREMENTS; AND BY AMENDING SECTION 30-481, "LANDSCAPE REQUIREMENTS BY ZONING DISTRICTS," TO CLARIFY PVIOUS LANDSCAPING REQUIREMENTS IN MULTIFAMILY DISTRICTS AND RELOCATE LANDSCAPE REQUIREMENTS FROM THE RM-25 DISTRICT REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)**

Mayor Sasser opened public comment, which he closed upon receiving no input.

Development Services Director Connors clarified that there are no RM-25 properties that are adjacent to RS-5 properties within the Town. Commissioner Sokolow identified a scrivener's error in line 180 of the proposed Ordinance which was corrected.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

16.RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2015-31 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, OPPOSING THE ISSUANCE OF PERMITS FOR OIL OR NATURAL GAS DRILLING RIGHTS ON PROPERTY LOCATED IN THE FLORIDA EVERGLADES, AND SUPPORTING EFFORTS OPPOSING ACTIONS THAT MAY DAMAGE THE SOUTH FLORIDA WATER SUPPLY; PROVIDING FOR AN EFFECTIVE DATE (Mayor Scot Sasser)**

Mayor Sasser opened public comment, which he closed upon receiving no input.

Mayor Sasser recalled that this Item was previously brought forward by Commissioner Brown, with language modified by Town Staff to address the economic and environmental interests of the Town. Commissioner Brown emphasized the importance of protecting the Everglades for the benefit of the entire region.


Commissioner Brown made a motion, seconded by Commissioner Dodd, to approve. Motion carried 5-0.

17.QUASI JUDICIAL PUBLIC HEARINGS

None.

18.ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 10:20 p.m.



Mayor Scot Sasser

ATTEST:



Town Clerk Tedra Smith



Date